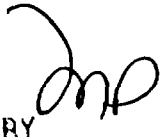


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 00-6273-CR-HUCK

FILED BY  D.D.

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CLARENCE MADDOX
CLERK U. S. DIST. CT.
S.D. OF FLA - MIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ARIEL HERNANDEZ, et al.,

Defendant,

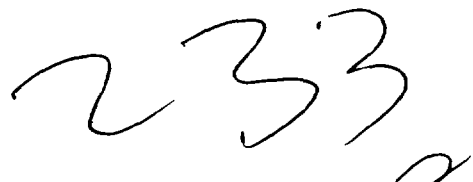
SECOND MOTION TO ADOPT PLEADINGS

THE DEFENDANT, **ARIEL HERNANDEZ**, by and through the undersigned counsel respectfully moves this Honorable Court for leave to adopt the following Motion, filed on behalf of co-defendants:

1. The Defendant hereby adopts the following Motions and each Memorandum of Law and each point as raised therein in support of said Motions:

Filed on behalf of Frederick Massaro:

- a. Motion to Dismiss Indictment, Rico Conspiracy;
- b. Motion For Extension Of Time To File Death Related Motions, etc.;
- c. Initial Motion To Dismiss Murder Related Counts;
- d. Motion For Rule 104(c) Hearing Regarding Rule 404(b) Evidence, etc.;
- e. Request For Specific Brady Material, etc.;
- d. Motion To Suppress Evidence Derived From Illegal Electronic Surveillance In State Proceeding, etc.
- e. Motion To Exclude 404(b) Evidence [403 and 404 Objection], etc.;



United States v. Ariel Hernandez
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f. Motion For Accelerated Disclosure Of Brady, Jenks, Kyle, Agurs Related Materials.

Filed on behalf of Anthony Trentacosta:

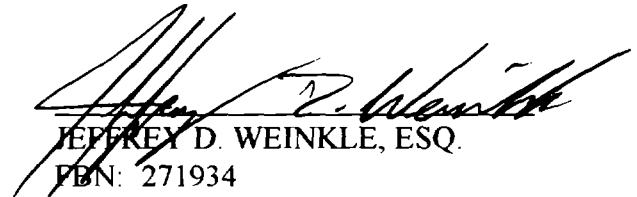
- a. Motion to Suppress Wiretaps DE 228
b. Motion to Sever Defendants DE 227

Filed on behalf of Julius Chiusano: DE 197

- a. Motion for Severance of Counts 17, 18, 19 and 20.
2. This motion is made in good faith and in order to avoid unnecessary delay.

WHEREFORE, the defendant requests this Honorable Court to enter its Order granting this Motion to Adopt Co-Defendants' Motions.

Respectfully submitted,


JEFFREY D. WEINKLE, ESQ.
FBN: 271934

United States v. Ariel Hernandez

CASE NO. 00-6273-CR-HUCK

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was mailed/delivered this

29th day of March, 2001 to: United States Attorney's Office, AUSA LARRY

LaVECCIO, 99 N.E. 4th Street, Miami, FL 33132; and to:

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JEFFREY D. WEINKLE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 00-6273-CR-HUCK

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ARIEL HERNANDEZ, et al.,

Defendant,

ORDER GRANTING DEFENDANT'S SECOND MOTION TO ADOPT PLEADINGS

THIS CAUSE having come on to be heard on the Defendant's Second Motion to Adopt Pleadings, and the Court having heard argument of counsel and being otherwise fully advised in the premises, it is hereby:

ORDERED AND ADJUDGED that:

1. The defendant's Motion to Adopt Pleadings is hereby GRANTED.
2. Defendant, Ariel Hernandez shall be permitted to adopt the following Motions:

Filed on behalf of Defendant, Frederick Massero:

- a. Motion to Dismiss Indictment, Rico Conspiracy;
- b. Motion For Extension Of Time To File Death Related Motions, etc.;
- c. Initial Motion To Dismiss Murder Related Counts;
- d. Motion For Rule 104(c) Hearing Regarding Rule 404(b) Evidence, etc.;
- e. Request For Specific Brady Material, etc.;
- d. Motion To Suppress Evidence Derived From Illegal Electronic Surveillance In State Proceeding, etc.

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CASE NO. 00-6273-CR-HUCK

- e. Motion To Exclude 404(b) Evidence [403 and 404 Objection], etc.;
- f. Motion For Accelerated Disclosure Of Brady, Jenks, Kyle, Agurs Related Materials.

Filed on behalf of Anthony Trentacosta:

- a. Motion to Suppress Wiretaps
- b. Motion to Sever Defendants

Filed on behalf of Julius Chiusano:

- a. Motion for Severance of Counts 17, 18, 19 and 20.

DONE AND ORDERED in Miami, Dade County, Southern District of Florida, this

_____ day of _____, 20_____.

PAUL C. HUCK
U.S. DISTRICT COURT JUDGE

Copies furnished to:
Jeffrey D. Weinkle, Esq.
All other counsel of record